

SECOND REGULAR SESSION

SENATE BILL NO. 887

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREEN.

Read 1st time January 17, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

3945S.011

AN ACT

To repeal section 130.032, RSMo, and to enact in lieu thereof one new section relating to limitations on campaign contributions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 130.032, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 130.032, to read as follows:

130.032. 1. In addition to the limitations imposed pursuant to section
2 130.031, the amount of contributions made by or accepted from [any person other
3 than] **candidate committees, exploratory committees, campaign**
4 **committees, and continuing committees other than those continuing**
5 **committees which are political party committees, excluding** the candidate
6 in any one election shall not exceed the following:

7 (1) To elect an individual to the office of governor, lieutenant governor,
8 secretary of state, state treasurer, state auditor or attorney general, one thousand
9 dollars;

10 (2) To elect an individual to the office of state senator, five hundred
11 dollars;

12 (3) To elect an individual to the office of state representative, two hundred
13 fifty dollars;

14 (4) To elect an individual to any other office, including judicial office, if
15 the population of the electoral district, ward, or other unit according to the latest
16 decennial census is under one hundred thousand, two hundred fifty dollars;

17 (5) To elect an individual to any other office, including judicial office, if
18 the population of the electoral district, ward, or other unit according to the latest
19 decennial census is at least one hundred thousand but less than two hundred fifty

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 thousand, five hundred dollars; and

21 (6) To elect an individual to any other office, including judicial office, if
22 the population of the electoral district, ward, or other unit according to the latest
23 decennial census is at least two hundred fifty thousand, one thousand dollars.

24 2. For purposes of this subsection "base year amount" shall be the
25 contribution limits prescribed in this section on January 1, 1995. Such limits
26 shall be increased on the first day of January in each even-numbered year by
27 multiplying the base year amount by the cumulative consumer price index, as
28 defined in section 104.010, RSMo, and rounded to the nearest twenty-five-dollar
29 amount, for all years since January 1, 1995.

30 3. [Candidate committees, exploratory committees, campaign committees
31 and continuing committees, other than those continuing committees which are
32 political party committees, shall be subject to the limits prescribed in subsection
33 1 of this section. The provisions of this subsection shall not limit the amount of
34 contributions which may be accumulated by a candidate committee and used for
35 expenditures to further the nomination or election of the candidate who controls
36 such candidate committee, except as provided in section 130.052.

37 4.] Except as limited by this subsection, the amount of cash contributions,
38 and a separate amount for the amount of in-kind contributions, made by or
39 accepted from a political party committee in any one election shall not exceed the
40 following:

41 (1) To elect an individual to the office of governor, lieutenant governor,
42 secretary of state, state treasurer, state auditor or attorney general, ten thousand
43 dollars;

44 (2) To elect an individual to the office of state senator, five thousand
45 dollars;

46 (3) To elect an individual to the office of state representative, two
47 thousand five hundred dollars; and

48 (4) To elect an individual to any other office of an electoral district, ward
49 or unit, ten times the allowable contribution limit for the office sought.

50 The amount of contributions which may be made by or accepted from a political
51 party committee in the primary election to elect any candidate who is unopposed
52 in such primary shall be fifty percent of the amount of the allowable contributions
53 as determined in this subsection.

54 [5.] 4. Contributions from persons under fourteen years of age shall be
55 considered made by the parents or guardians of such person and shall be

56 attributed toward any contribution limits prescribed in this chapter. Where the
57 contributor under fourteen years of age has two custodial parents or guardians,
58 fifty percent of the contribution shall be attributed to each parent or guardian,
59 and where such contributor has one custodial parent or guardian, all such
60 contributions shall be attributed to the custodial parent or guardian.

61 **[6.] 5.** Contributions received and expenditures made prior to January
62 1, 1995, shall be reported as a separate account and pursuant to the laws in effect
63 at the time such contributions are received or expenditures made. Contributions
64 received and expenditures made after January 1, 1995, shall be reported as a
65 separate account from the aforementioned account and pursuant to the provisions
66 of this chapter. The account reported pursuant to the prior law shall be retained
67 as a separate account and any remaining funds in such account may be used
68 pursuant to this chapter and section 130.034.

69 **[7.] 6.** Any committee which accepts or gives contributions other than
70 those allowed shall be subject to a surcharge of one thousand dollars plus an
71 amount equal to the contribution per nonallowable contribution, to be paid to the
72 ethics commission and which shall be transferred to the director of revenue, upon
73 notification of such nonallowable contribution by the ethics commission, and after
74 the candidate has had ten business days after receipt of notice to return the
75 contribution to the contributor. The candidate and the candidate committee
76 treasurer or deputy treasurer owing a surcharge shall be personally liable for the
77 payment of the surcharge or may pay such surcharge only from campaign funds
78 existing on the date of the receipt of notice. Such surcharge shall constitute a
79 debt to the state enforceable under, but not limited to, the provisions of chapter
80 143, RSMo.

Copy ✓